



Lincoln Police Department
Thomas K. Casady, Chief of Police
575 South 10th Street
Lincoln, Nebraska 68508

402-441-7204
fax: 402-441-8492



MAYOR COLEEN J. SENG

lincoln.ne.gov

January 3, 2005

Mayor Seng and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Seng and Members of the City Council:

An investigation has been made regarding the application of AYR Inc., d.b.a. El Potrero, 247 North 8th Street requesting a class I liquor license.

El Potrero has requested that Estela Ayala be approved as the manager of the liquor license.

Background information on Mrs. Ayala could not be obtained as an interview could not be completed. Several attempts were made to contact Mrs. Ayala by telephone and also the US mail service.

The area requested for the liquor license includes an outside patio area. If this license is approved the outside patio area will be required to upgrade to comply with the rules for Sidewalk Café within the Nebraska Liquor Control Act.

Stockholder information has been included for your review.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.

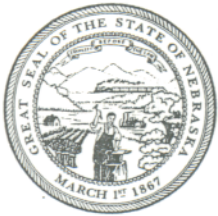
THOMAS K. CASADY, Chief of Police



A nationally accredited law enforcement agency



STATE OF NEBRASKA



Mike Johanns
Governor

FILED
CITY CLERK'S OFFICE

2004 DEC -3 P 2:04

CITY OF LINCOLN
NEBRASKA

A4-134606
BIN

NEBRASKA LIQUOR CONTROL COMMISSION

Hobert B. Rupe

Executive Director

301 Centennial Mall South, 5th Floor

P.O. Box 95046

Lincoln, Nebraska 68509-5046

Phone (402) 471-2571

Fax (402) 471-2814

TRS USER 800 833-7352 (TTY)

web address: <http://www.nol.org/home/NLCC/>

December 1, 2004

Lincoln City Clerk
555 S. 10th Street
Lincoln, NE 68508

Agr. Inc dba EL Potrero
247 North 8th St
Class F

Re: Liquor application for El Potrero

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body.
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE...A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS; AND, A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

NEBRASKA LIQUOR CONTROL COMMISSION

Tami Freeman
Licensing Division

Rhonda R. Flower
Enclosures Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

An Equal Opportunity/Affirmative Action Employer

Printed with soy ink on recycled paper

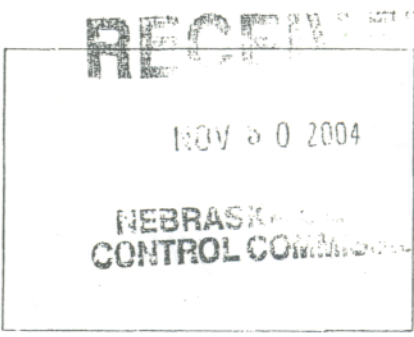
FORM 35-4001
REV. 12/99

City Clerk New Lic# I - 66526

APPLICATION FOR LICENSE

Nebraska Liquor Control Commission
PO Box 95046, 301 Centennial Mall South
Lincoln, NE 68509-5046

http://www.nlc.org/home/NLC/ Phone: (402) 471-2571
Fax: (402) 471-2814



INSTRUCTIONS: Include: 1. Applicable fees payable to Liquor Control Commission 2. Copy of birth certificate or naturalization papers proving U.S. citizenship for each individual and spouse named on application (not required of corporations or spouses) who file an affidavit of no interest with application. Commission form 4178 3. Corporations must include copy of articles of incorporation as filed with the Secretary of States office in the state of Nebraska 4 Commission checklist, form 4251 5. Fingerprint cards and processing fees (are required of individuals, all partners and spouses. Corporate applicants must file for CEO/Manager & stockholders/member holding over 25% stock/interest. 6. All applications must be typewritten or printed clearly. 7. Submit in **TriPLICATE**

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND LIST OF FEES FOR EACH

Class of License (Check applicable class)	Registration Fee	License Fees	C Sun
A Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
F Beer, On Sale Only - Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
B Beer, Off Sale Only - Indicate Inside or Outside Corporate Limits	\$45.00	Collected at Local Level	exempt
J Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
X I Spirits, Wine, Beer, On Sale Only - Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
D Spirits, Wine, Beer, Off Sale Only - Inside Corporate Limits	\$45.00	\$150.00	exempt
DI Spirits, Wine, Beer, Off Sale only - within extraterritorial zoning jurisdiction	\$45.00	\$150.00	exempt
C Spirits, Wine, Beer On & Off Sale Inside Corporate Limits	\$45.00	Collected at Local Level	exempt
M Bottle Club (Spirits, Wine, Beer, on Sale)	\$45.00	Collected at Local Level	exempt
H Nonprofit Corporation	\$45.00	Collected at Local Level	exempt
K Wine Only, Off Sale	\$45.00	Collected at Local Level	exempt
O Boat	\$45.00	\$ 50.00	exempt
V Manufacturer of Beer, Wine & Distilled Spirits	\$45.00	Varies \$100 to \$1,000	\$10,000 min.
X Wholesale Liquor	\$45.00	\$500.00	\$ 5,000 min.
W Wholesale Beer	\$45.00	\$250.00	\$ 5,000 min.
Y Farm Winery	\$45.00	\$250.00	\$ 1,000 min.
L Craft Brewery (Brew Pub)	\$45.00	\$250.00	\$ 1,000 min.

66526

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TYPE OF APPLICATION	CORPORATE SURETY BOND INFORMATION
Type of application being applied for (place appropriate number in box) 3 1= Individual License requires Form 1 to be attached. 2= Partnership License requires Form 2 to be attached. 3= Corporate License requires Form 3 and 4 and Manager Application be attached.	Bond Company - for Classes I V W X Y only <div></div> Start Date Month/Day/Year <div></div> Bond Number <div></div>

SECTION A - LOCATION INFORMATION - Must be completed by all applicants

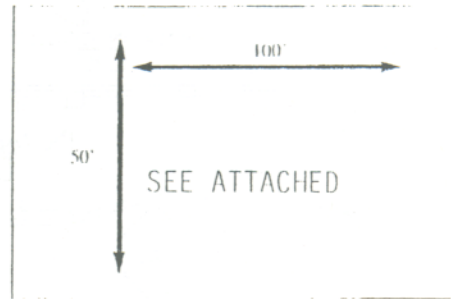
Trade Name (name of business) EL POTRERO	Telephone Number at premise to be licensed Not yet assigned
1) Street Address of Proposed licensed premise 247 NORTH 8TH STREET	2) Mailing Address for receipt of Liquor Control Commission mailings SAME
City LINCOLN	County LANCASTER
Zip Code 68508	City County Zip Code #2

City Clerk #5272 - \$45 - mm

#135033

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations where only a portion of the entire bldg. is to be covered by the license. No blue prints will be accepted. Be sure to indicate the direction North and number of floors of the building.



Example: East portion approximately 50' x 100' of main floor of 3 story building plus basement approximately 30' x 50' at the East end.

one story area approx 85' x 72'
plus outdoor patio area to the
east approx 25' x 37'

SECTION B

OTHER INFORMATION REQUIRED

	Yes	No	Explanation/Comments
<p>1. READ CAREFULLY. Answer completely and accurately.</p> <p>Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor or violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>JOSE - NO</p> <p>FELIPE - NO</p> <p>ALEJANDRO - NO</p> <p>ESTELLA - NO</p> <p>MONICA - NO</p> <p>SALE TO MINOR PENDING</p> <p><i>Maria</i></p>

on lic#
61118

	Yes	No	Explanation/Comments
2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required).		X	
3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license? If yes, attach copy.		X	
4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.	X		FAMILY INVESTMENT
5. Will any person or entity other than licensee be entitled to a share of the profits of the establishment? If yes, explain.		X	
6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.		X	
7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain?		X	
8. Are the premises to be licensed within 150 ft. of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft. of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Per Sec. §53-177.		X	
9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the persons exact duties.		X	
10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the person(s) who will be authorized to write checks and/or make withdrawals on accounts at such institutions.			US BANK ALEJANDRO RODRIQUEZ
11. List all past and present liquor licenses held by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.			EL TORO, SHAWNEE, KANSAS #10019124204 EL TORO, GRAND ISLAND, NE. #61118
12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.			ALEJANDRO RODRIQUEZ 40 HOURS
13. List the training and experience of the person listed in #12 above in connection with selling and/or serving alcohol products.			7 YEARS Shareholder El Toro. and employee
14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership, if leased submit a copy of the lease covering the entire license year. (Documents must show title or lease held interest in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed).			1/31/2010
14. When do you intend to open for business?			JANUARY 1, 2005

16. List the principal residence for the past 10 years for all persons required to sign application. If necessary attach a separate sheet.

NAME	FROM (YEAR)	TO (YEAR)	RESIDENCE (CITY, STATE)
JOSE G. AYALA	2002	2004	KANSAS CITY, KS
ESTELA	1998	2001	COLUMBIA, MO
	1993	1998	NASHVILLE TN
ESTELLA AYALA	2001	2004	KANSAS CITY, KS
	1998	2001	COLUMBIA, MO
	1993	1998	VIRGINIA BEACH, VA
ALEJANDRO RODRIQUEZ	2001	2004	CHILLICOTHE, MO
	1993	2001	COLUMBIA, MO

The undersigned applicant(s) hereby consent(s) to a background investigation and release of present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and/or inaccurate.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public. Must be signed by applicant and spouse; if a partnership, all partners and spouses must sign and corporation, all stockholders/members (holding more than 25% of the stock or interest), officers, directors and spouses must sign. Full names only, initials not acceptable.

sign
here

[Signature]

sign
here

MARIA D AYALA

sign
here

JOSE G AYALA

sign
here

[Signature]

sign
here

Alejandro Rodriguez

sign
here

sign
here

Arionis Ayala

sign
here

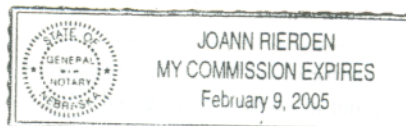
Subscribed in my presence and sworn to before me this 9th day of November, 2004.

RECEIVED

NOV 30 2004

sign
here

NEBRASKA LIQUOR
CONTROL COMMISSION



[Signature]
Notary Public Signature

In compliance with ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

FORM 35-4010
1
Rev. 7/01

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

INSTRUCTIONS:

- 1) Application and application for manager must be typewritten and submitted in triplicate
- 2) Fingerprint cards (2 cards per person) must be submitted for: a) each stockholder owning over 25% of the stock, b) chief executive officer, c) proposed manager and d) all spouses
- 3) Information regarding spouses must be completed

RECEIVED

NOV 30 2004

NEBRASKA LIQUOR
CONTROL COMMISSION

Name of Corporation That Will Hold License. Attach copy of Articles of Incorporation AYR, INC.			Total Number of Shares (if corporation) 10,000	
Corporate Street Address (1) 34325 WEST STATE STREET		Mailing address for receipt of Liquor Control Commission Mailings 3425 WEST STATE STREET		Corporate Telephone Number 308-381-2333
City: GRAND ISLAND	County: HALL	State: NE	Zip Code 68803	
Name of Registered Agent ALEJANDRO RODRIQUEZ		Name of Proposed Manager ESTELLA AYALA		
IN THIS SECTION LIST THE NAME OF THE CHIEF EXECUTIVE OFFICER				
Name Jose G Ayala	Title President		Date of Birth	Social Security Number
Home Address (1) 3720 West State Street #F9		State NE		
City Grand Island	State NE	Zip Code 68803	Home Telephone Number 660-707-3112	

Corporation/LLC Application for License - Form 3

Nebraska Liquor Control Commission

Is this Corporation/LLC controlled by another Corporation? ☐ YES ☒ NO

Name of Control Corporation

§ AYR, INC.

IF YES, LIST EACH STOCKHOLDER/MEMBER OWNING MORE THAN 25% stock/interest in that corporation/LLC. Any applicant who has a Corporation as a shareholder MUST file an organizational chart listing all shareholders and/or corporations owning more than 25% stock and listing of the percentage of stock owned

Please indicate below your corporate tax year with the IRS

Starting Date: Jan. 1 Ending Date: Dec 31

STATE OF Nebraska

County

ss.

John Bordin
Notary Public Signature & Seal



By Jose G Ayala
PRESIDENT/MEMBER

[Signature]
SECRETARY/MEMBER

In compliance with ADA, this form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format

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NOV 30 2004

NEBRASKA LIQUOR
CONTROL COMMISSION

Corporation/LLC Application for License - Form 3

33 129

PRINCIPLE OFFICERS, DIRECTORS, STOCKHOLDERS, MEMBERS AND SPOUSES					
Name of Officers, Directors, Members and Spouses. Give Last Name, First Name, Middle, Maiden, and any aliases	Social Security Number	Date of Birth	Title	Number of Shares, %	
NAME Jose G. Ayala			President	33 1/3%	
Spouse Name Estela Ayala					
NAME Alejandro Rodriguez			Vice President	33 1/3%	
Spouse Name MARIA D. AYALA					
NAME Felipe Ayala			Sec/Treasurer	33 1/3%	
Spouse Name Monica Ayala					
NAME					
Spouse Name					
NAME					
Spouse Name					
NAME					
Spouse Name					

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(If Necessary, Continue on Separate Sheet)

NOV 30 2004

Application for Corporate Manager

Must Be A Nebraska Resident

Please submit in Triplicate

Return to: Nebraska Liquor Control Commission, PO Box 95046
301 Centennial Mall So., Lincoln NE 68509

Phone: (402) 471-2571 **Fax:** (402) 471-2814 **Web address:** <http://www.nol.org/home/NLCC/>

Required areas marked by a red asterisk (*)

LIQUOR LICENSE INFORMATION

Name of Licensed Corporation

AYR, INC.

Class & License number

1

Trade Name of Licensed Premise

EL POTRERO

Street Address of Licensed Premise

247 NORTH 8TH STREET

City

LINCOLN

County

LANCASTER

On behalf of the corporation, I designate this individual as corporate manager.

Signature of Corporate President/CEO:

X spouse of applicant.

APPLICANT INFORMATION (MUST BE 21 OR OVER)

Full Name (Last, First, Middle, Maiden)

AYALA, ESTELA

Sex *

F

M

☒

☐

Social Security Number

Date of Birth

Place of Birth

DECATUR, GEORGIA

Home Street Address

3720 WEST STATE STREET, APT. D12

City

GRAND ISLAND

County

HALL

State

NE

Zip Code

68803

Home Telephone Number

660-707-3112

Business Telephone Number

308-381-2333

Drivers License Number

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NOV 30 2004

NE
NEBRASKA LIQUOR
CONTROL COMMISSION

<input type="text"/>	*	<input type="text"/>	*
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Are You Married? * Yes ☒ No ☐ If Yes, You must complete the following:

SPOUSE'S INFORMATION (IF NOT MARRIED INDICATE)

Full Name (Last, First, Middle, Maiden)

AYALA, JOSE G

Social Security Number

Drivers License Number

KS DL

State

NE

Date of Birth

Place of Birth

MEXICO

* 1. **READ CAREFULLY.** Answer completely and accurately.

Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any criminal charge. Criminal charge means any charge alleging a felony or misdemeanor violation of a federal or state law; or a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

Yes No

☐

☒

NO - ESTELA AYALA

NO - JOSE G. AYALA

* 2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? IF YES, for what premise give license number and date.

Yes No

☒

☐

EL TORO MEXICAN RESTAURANT

7329 QUIVIRA ROAD, SHAWNEE MISSION, KS 66216 AND EL TORO MEXICAN RESTAURANT

3425 WEST STATE STREET

* 3. Have you or your spouse ever made a compromise settlement for violation of such laws? GRAND ISLAND, NE. 6118
11/6/03

Yes No

☐

☒

* 4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License?

Nebraska Liquor Control Act (§53-131.01)

Yes No

☒

☐

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NOV 30 2004

* 5. Have you filed fingerprint cards and **PROPER FEES** (if check, make out to the NE State Patrol), with this application?

YES

on file

NEBRASKA LIQUOR
CONTROL COMMISSION

Yes No
☒ ☐

RESIDENCES FOR PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE

Year
From To

Applicant: City & State

KANSAS CITY, KANSAS

2001 2003

Spouse: City & State

KANSAS CITY, KANSAS

2001 2003

Year
From To

Applicant: City & State

COLUMBIA, MO.

1998 2001

Spouse: City & State

COLUMBIA, MO.

1998 2001

Year
From To

Applicant: City & State

VIRGINIA BEACH, VA.

1993 1998

Spouse: City & State

NASHVILLE, TN

1993 1998

Year
From To

Applicant: City & State

Spouse: City & State

EMPLOYERS - LIST LAST TWO EMPLOYERS

Year

Name of Employer

EL TORO MEXICAN RESTAURANT

From To

2003 2003

Name of Supervisor FELIPE AYALA

Telephone Number 913-631-1877

	Year From To	<div style="font-size: 2em; font-weight: bold;">RECEIVED</div> <div style="font-size: 1.2em;">NOV 5 0 2004</div>
	<div style="width: 40px; height: 20px; border: 1px solid black;"></div> <div style="width: 40px; height: 20px; border: 1px solid black;"></div>	
	Telephone Number	
	<div style="width: 100px; height: 20px; border: 1px solid black;"></div>	
PERSONAL OATH AND CONSENT OF INVESTIGATION - MUST BE SIGNED BY APPLICANT & SPOUSE		

STATE OF NEBRASKA)

) SS

COUNTY OF)

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, an affidavit may be attached, however, fingerprint cards are still required to be filed.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete and inaccurate.



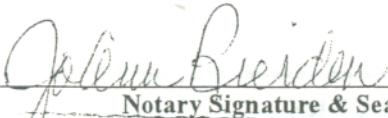
Signature of Applicant



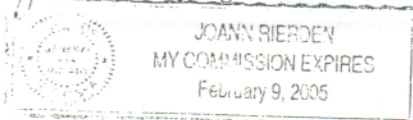
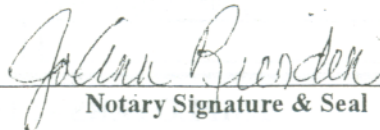
Signature of Spouse (if applicable)

Subscribed in my presence and sworn to before me this
9th day of November, 2004.

Subscribed in my presence and sworn to before me this
9th day of November, 2004.



Notary Signature & Seal

Notary Signature & Seal

JOANN RIERDEN
 MY COMMISSION
 February 9,

Verify and Print



JOANN RIERDEN
 MY COMMISSION EXPIRES
 February 9, 2005

FORM 35-4013

December 7, 2004

Ms. Estela Ayala
3720 West State Street
Apt 2
Grand Island, Nebraska 68803

Ms. Ayala.

Your request for a liquor license at 247 North 8th Street Lincoln, Nebraska is being processed. In order to complete this request an interview needs to be completed with the Lincoln Police Department.

This interview will take place at the Lincoln Police Department.

Please call Investigator Fosler at 402-441-7638 as soon as possible to schedule this appointment.

Thank you

Investigator Russ Fosler
Liquor & Vice
Lincoln Police Department

*S. sidewalk cafe
need fencing*